

The Honorable Robert C. Scott
Chairman, House Education & Labor Committee
Washington, DC 20510

The Honorable Patty Murray
Chair, Senate Committee on Health,
Education, Labor & Pensions
Washington, DC 20510

The Honorable Richard Neal
Chairman, House Ways & Means Committee
Washington, DC 20510

The Honorable Ron Wyden
Chairman, Senate Finance Committee
Washington, DC 20510

January 13, 2022

Dear Chairpersons Scott, Neal, Murray, and Wyden:

On December 31st, 2021, the single source of revenue for the Black Lung Disability Trust Fund (BLDTF) was cut by more than half. Thousands of coal miners and their families rely on the BLDTF to pay their benefits - health insurance and a small living stipend. The living stipend for a miner is less than \$700 a month, but the health insurance can make all the difference for the survival of families dealing with this awful disease. The stipend, though small, is often one of the primary sources of income for widows and family members left behind when miners succumb to the disease.

The only source of revenue for the BLDTF is a small excise tax on domestically sold coal. If the tax is cut or goes away, taxpayers end up picking up the bill, the Trust Fund goes further into debt, and the benefits that miners have earned are put under a cloud of uncertainty. That's why the Black Lung Association has been fighting for a long-term extension of the excise tax. Legislation introduced by Representative Scott and Senators Manchin, Warner, Casey, Kaine, and Brown would extend the excise tax at its historic rate for ten years, but this legislation needs your support to pass. For the past two years, the historic excise tax rate (\$1.10 per ton for underground coal and \$0.55 for surface-mined coal) has been maintained by one-year extender bills, but our mining families need to know this program will be funded for the long term.

Last year, your Committees worked diligently to include a four-year extension of the excise tax in the Build Back Better Act (BBBA) alongside other impactful policies for miners including incentives for manufacturers to locate and create jobs within coal communities, and policies to ensure that workers have the right to form a union. However, without a 2021 tax extender bill or the passage of BBBA, the tax rate was cut by more than half at the end of 2021, putting the BLDTF further into debt and putting miners' benefits at risk. Based on 2021 revenue collection, we can estimate that the fund is losing, on average, approximately \$2.8 million each week that the tax rate is not extended. That amounts to new tax benefits for coal companies and new expenses that fall on taxpayers.

Given the urgency to restore the excise tax to its prior rate and the uncertainty concerning the passage of the BBBA, as leaders of your committees, the Black Lung Association members and 67 supporting organizations signed on below urge you to act expediently in 2022 to support and pass the *Black Lung Benefits Disability Trust Fund Act of 2021* (S. 2810). Miners and families impacted by black lung need the stability of a longer term extension of the excise tax so they can address other urgent issues - including a study on the adequacy of the benefits, the need for workplace protections to prevent the disease, and legislation that addresses the BLDTF's solvency crisis over the long-term.

Sincerely,

Gary Hairston, President, National Black Lung Association; President of the Fayette County WV Black Lung Association

Vonda Robinson, Vice President, National Black Lung Association

Dianna Perdue, Secretary, National Black Lung Association; Treasurer, Kanawha County WV Black Lung Association

Arvin Hanshaw, President, Nicholas County Black Lung Association

Dean Vance, President, Southwest Virginia Black Lung Association, Chapter 1

Bethel Brock, President, Southwest Virginia Black Lung Association, Chapter 2

Mark Lane, President, Wyoming County WV Black Lung Association

Brenda Ellis, Vice President, Wyoming County WV Black Lung Association

Judith Riffe, Secretary Treasurer, Wyoming County Black Lung Association

Fred Pinson, Vice President, East Kentucky Coalfield Black Lung Association

Linda Adams, Secretary, East Kentucky Coalfield Black Lung Association

William Jay McCool, Vice President, Black Lung Association of Southeastern Kentucky

Patty Amburgey, Secretary, Black Lung Association of Southeastern Kentucky

Mike Hairston, President, McDowell County Black Lung Association

Howard Mitchelson, President, Mercer County Black Lung Association

Kanawha County Black Lung Association

United Mine Workers of America

Supporting and Partner Organizations:

American Friends Service Committee - West Virginia

Americans for Tax Fairness

Appalachian Citizens' Law Center

Appalachian Community Services

Appalachian Land Study Collective

Appalachian Voices

Appalshop

Berea College
Breathe Project
Bronx Jews for Climate Action
Center for Coalfield Justice
Center for Rural Strategies
Central Illinois Healthy Community Alliance
Charleston, WV Branch NAACP
Chesapeake Climate Action Network
Christians For The Mountains
Citizens Coal Council
Clearfork Community Institute
Climate Action Alliance of the Valley
Coal River Mountain Watch
Earth Action, Inc.
Eastern PA Coalition for Abandoned Mine Reclamation (EPCAMR)
Eco-Justice Collaborative
Faith Alliance for Climate Solutions
Friends For Environmental Justice
Friends of the Earth U.S.
Gesundheit Institute
Greater Highland Area Concerned Citizens
Grow Gillespie, IL
Gwendolyn Ridge, LLC
Highlander Research and Education Center
Illinois People's Action
Jewish Climate Action Network
Jewish Climate Action Network NYC
Joe Hill Music LLC
Kentuckians For The Commonwealth
Kentucky Interfaith Power and Light
Kentucky Resources Council
Keystone Research Center
League of Women Voters of the United States
Livelihoods Knowledge Exchange Network (LiKEN)
National Wildlife Federation
On the Levels Farmstead, LLC.
Pennsylvania Council of Churches
Pennsylvania Jewish Earth Alliance
Rainelle Medical Center's Black Lung Clinic
Respiratory Health Association
Rural Action
RuralOrganizing.org

Sierra Club
Southern Appalachian Labor School
Southern Appalachian Mountain Stewards
Statewide Organizing for Community eMpowerment (SOCM)
The Alliance for Appalachia
Thrive at Life: Workplace Solutions
Tifereth Israel Congregation
Tó Nizhóní Ání
Tri-Area Community Health
Virginia Organizing
West Virginia Citizen Action Group
West Virginia Council of Churches
West Virginia Environmental Council
West Virginia Interfaith Power and Light
West Virginia Rivers Coalition
Western Colorado Alliance
Western Organization of Resource Councils
Woodland Community Development Corporation